

**USDC SDNY
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Kelly D. Talcott
The Law Offices of Kelly D. Talcott
34 Grove Street, PO Box 43
Sea Cliff, New York 11579-0043
v. 516.515.1545 – kdtlaw@gmail.com – www.kdtalcott.com – f. 516.871.0682

August 2, 2012

Electronic Mail to NathanNYSDChambers@nysd.uscourts.gov

Honorable Alison J. Nathan
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: TufAmerica, Inc. v. Diamond, et al., 12cv3529 (AJN) - Adjournment Request

Dear Judge Nathan,

I am counsel for plaintiff TufAmerica, Inc., and write in connection with the Initial Pretrial Conference presently scheduled for August 9, 2012, at 3:00 p.m. The purpose of this letter is to request an adjournment of this conference date. There has been one previous requests made for an adjournment of this conference.

I am advised by my process server that it has not yet served the corporate defendants, but is in the process of doing so. Accordingly, we respectfully request that the status conference be adjourned to a date in September that is convenient for the Court; in particular (and as required by Your Honor's Individual Practices) we propose a date during the week of September 3 or September 17 (I am presently scheduled to be on trial before Judge Forrest the week of September 10). I have not been contacted by defendants' counsel, and so there is no basis at this time for seeking their consent.

Please contact me with any questions concerning the enclosed.

Respectfully yours,

/Kelly D. Talcott/

Kelly D. Talcott

SO ORDERED:

[Handwritten signature]
HON. ALISON J. NATHAN
UNITED STATES DISTRICT JUDGE

*SO ordered.
Conference reset
to 9/21/12 @
11:30am. A
case management
plan is due 9/12/12.*